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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT G. LUSTYIK, JR. and
JOHANNES W. THALER,

Defendants.

Case No. 2:12-cr-645 (TC) (DBP)

**GOVERNMENT'S NOTICE OF
COMPLIANCE WITH COURT'S ORDER
AND MEMORANDUM DECISION ON
MOTION TO CONTINUE**

The United States, by and through undersigned counsel, respectfully files this Notice of Compliance with the Court's Order and Memorandum Decision on Motion to Continue (Doc. 705) ("Order"), to apprise the Court and counsel of the Government's compliance with a portion of the Order.

On June 30, 2014, the Court denied defendants' Joint Motion to Continue Trial Date (Doc. 679). As part of that Order, the Court ruled that the Government need not reproduce the May 27, 2014, reproduction of documents without suppressed documents. (Doc. 705 at 22). In that Order, the Court also ordered the Government to "send the letter requested by Agency 2 to Defendants and the court 'stating that defendants are on notice of the subject matter of certain classified information because of portion markings on the reproductions of the documents involving Agency 2's equities and the admonishment provided by Agency 2 . . .'" (Doc. 705 at

21–22). On June 18, 2014, the Government sent this letter to defendants via the Court Information Security Officer (“CISO”).¹ On June 30, 2014, the Government provided a copy of the letter to the CISO to provide to the Court.

Respectfully submitted,

JACK SMITH
Chief

JAIKUMAR RAMASWAMY
Chief

By: /s/ Maria N. Lerner
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Peter M. Koski, Deputy Chief
Maria N. Lerner, Trial Attorney
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By: /s/ Ann Marie Blaylock Bacon
Ann Marie Blaylock Bacon, Trial Attorney
Asset Forfeiture/Money Laundering Section

¹ The letter contains classified information and as such cannot be sent through standard mail or email.